

Van Buren County Brownfield Redevelopment Authority Regular Meeting Minutes April 14, 2021

Meeting Host / Secretary-Treasurer at BRA Office, Suite 302, 219 E. Paw Paw St, Paw Paw MI 49079
All other attendees participated online from remote locations

Note for the Record—This meeting was held online using Zoom remote meeting software as authorized in the Michigan Open Meetings Act. The source of this authorization is a declaration by the Van Buren County Board of Commissioners of a county-wide state of emergency, originally declared on 11/24/2020 and most recently extended on 01/26/2021 to its present expiration date of 12/31/2021. The meeting notice and tentative agenda, including the Zoom Meeting ID Number and login instructions, were properly and timely posted on the county's website to allow public participation. Each Board Member who attended remotely announced upon the start of the meeting or upon subsequent arrival his/her specific remote location (municipality/county/state) as required in the Act.

Board Member Attendance Report									
Name	Position	Attendance Status	Declared Remote Location			Present	Present	+ Late	- Early
			Municipality	County	State	Anytime	@ Start	Arrivals	Departs
Lisa Phillips	Chair	Attended remotely	Porter Township	Van Buren	Michigan	Yes	Yes		Yes
Jan Petersen	Vice Chair	Attended remotely	Hamilton Township	Van Buren	Michigan	Yes	Yes		Yes
Gail Patterson-Gladney	Member	Attended remotely	South Haven City	Van Buren	Michigan	Yes	Yes		Yes
Cynthia Compton	Member	Attended remotely	South Haven City	Van Buren	Michigan	Yes	Yes		Yes
Kate Hosier	Member	Attended remotely	South Haven City	Van Buren	Michigan	Yes	Yes		Yes
Sarah Moyer-Cale	Member	Attended remotely	Paw Paw Village	Van Buren	Michigan	Yes	Yes		Yes
Katie Strohauer	Member	Attended remotely	Almena Township	Van Buren	Michigan	Yes	Yes		Yes
Zach Morris	Member	Attended remotely	Antwerp Township	Van Buren	Michigan	Yes	Yes		4:45 PM No
Dr. Patrick Creagan	Member	Attended remotely	Decatur Village	Van Buren	Michigan	Yes	Yes		Yes
Count:						9	9	0	-1 8
Members Present:							9 of 9	9 of 9	8 of 9 8 of 9
Quorum (Yes/No):							Yes	Yes	Yes Yes

1. Call to Order and Determination of Quorum and Attendees

At 3:35 PM, by Chairperson Lisa Phillips, with attendees/absentees/remote locations/quorum status as stated above and as follows:

- a. **Board Members Present (9); Board Members Absent (0); Board Vacancies: (0).** A quorum (9 of 9) is initially present.
- b. **Staff and Others Present:** Secretary-Treasurer Wayne Nelson; Consultant Erik Peterson from Envirologic Technologies Inc., County Treasurer Trisha Nesbitt for applicant VBCLBA, Simona Silaghi and John O'Connell as potential applicants.

2. Approval of Agenda--Motion by Patterson-Gladney, supported by Compton, to approve the prepared agenda. Approved by a vote of 9-0.

3. Approval of Minutes of Regular Meeting held March 10, 2021--Motion by Morris, supported by Patterson-Gladney, to approve the minutes of the Regular Meeting held March 10, 2021. Approved by a vote of 9-0.

4. Public Comment—None

5. Secretary-Treasurer's Report--Nelson presented a written report with oral enhancements and action items as follows:

- a. **Invoices for Approval**--The following invoices were presented for approval:

Amount	Vendor	Invoice #	Invoice Date	Reason
EPA Grant Invoices:				
\$ 25.00	Envirologic Technologies Inc	07547	2021-04-12	Programmatic
168.75	Envirologic Technologies Inc	07548	2021-04-12	Sherman Hills; Elig/B-Plan
-	Envirologic Technologies Inc			
-	Envirologic Technologies Inc			
\$ 193.75	Envirologic Sub-Total			
1,932.00	Wayne Nelson	1994	2021-03-31	Grant admin service 10/2020-3/2021
\$ 2,125.75	Total of EPA Grant Invoices			
4,508.00	Wayne Nelson	1994	2021-03-31	Non-grant admin services 10/2020-3/2021
\$ 6,633.75	Total of All Invoices			

Motion by Patterson-Gladney, supported by Moyer-Cale, to approve the above Envirologic invoices totaling \$193.75 for payment. Approved by a vote of 9-0.

Motion by Morris, supported by Strohauser, to approve the above Wayne Nelson invoice lines totaling \$6,440.00 for payment. Approved by a vote of 9-0.

- 6. Other Correspondence**—Nelson wrote to Jeff Hukill of EGLE to inform them of the successful completion of the Paw Paw Brewing project loan restructuring and tax assessment corrections that should result in successful completion of the Brownfield Plan, and thanked EGLE for their 2020 efforts to make this possible.. Nelson received a very nice letter of response from Mr. Hukill.

7. New Business—

- a. Application for 1 -5 West Main Street in City of Hartford**—Trisha Nesbitt, County Treasurer and Chair of the VBCLBA appeared in support of this application for EPA Grant assistance jointly for the parcel at 5 West Main owned by the VBCLBA and the parcel at 1 West Main recently acquired by the County Treasurer through tax foreclosure and likely to be transferred to the VBCLBA. Erik Peterson presented proposed Work Order #39 for up to \$8,550 from the EPA Hazardous Materials Grant for eligibility determination, a Phase I ESA, and if eligible, a Hazardous Materials Building Survey.
Motion by Hosier, supported by Creagan, to approve the application and Work Order # 38 for up to \$8,550, conditioned on a signed Development Agreement from the VBCLBA. Approved by a vote of 7-0, with Compton and Morris abstaining as they sit on the VBCLBA Board.
Motion by Hosier, supported by Creagan, to waive the application fee due to the public ownership and public benefit. Approved by a vote of 7-0, with Compton and Morris abstaining as they sit on the VBCLBA Board.
- b. Introduction of Possible New Project Application**—Eric Peterson introduced Simona Nicoara-Silaghi and John O'Connell regarding a site in the City of Bangor. They are exploring applying soon to the VCBRA and wanted to see how the process works. They will continue to work with Peterson.
- c. BRA Board terms expiring June 1, 2021**—The terms of Lisa Phillips, Jan Petersen and Sarah Moyer-Cale expire on June 1, 2021, with Petersen not seeking reappointment. Nelson will coordinate the reappointments through the BOC. Nelson has been seeking a willing individual for appointment to Petersen's seat, and asked for any assistance in finding someone.
- d. 2021 National Brownfields Conference**—Nelson mentioned that, due to the ongoing COVID emergency, it would be virtually certain that the VBCBOC would deny any out-of-state travel request for this late September conference. Motion by Petersen, supported by Hosier, to set the policy that the VCBRA will not support EPA grant or county financial assistance for travel to this conference. Approved by a vote of 9-0.

8. Ongoing Business—EPA Grant/Brownfield Plan Project Updates—Consultant Erik Peterson made comments on EPA Grant and Brownfield Plan projects as follows:

- a. 05585 Blue Star Hwy**—The proposed Essential Storage Brownfield Plan has been approved by South Haven Charter Township and is now before the VBCBOC for public hearing and approval. Motion by Morris, supported by Creagan, to recommend plan approval to the VBCBOC. Approved by a vote of 9-0.
- b. 10336 Blue Star Hwy**—Erik reported the BP for The Lodge is up for approval by South Haven Charter Township later today and is now before the VBCBOC for public hearing and approval. Motion by Petersen, supported by Strohauser, to recommend plan approval to the VBCBOC. Approved by a vote of 9-0.
- c. 413 Delaware St**—Tax issues remain to be resolved.
- d. Sherman Hills**—ETI is actively working with the applicant, the City of South Haven, the SLBA, the VBCLBA and EGLE to advance the project. There is an apparent breakthrough on the conservation easement issue, such that the developer is ready to move with an alternative site plan and proceed. Erik Peterson reported that he could then accurately identify eligible costs and proceed with BP development.
- e. Departure**—Member Zach Morris departs the meeting at 4:45 PM. A quorum (8 of 9) remains.
- f. 153 Commercial Ave**—Nothing to report.
- g. 67902 Red Arrow Hwy**—ETI is slowly working toward finalizing a BP if the developer is willing.
- h. 23944 Red Arrow Hwy**—The matter of having a BP coupled with the new Commercial Rehabilitation Exemption for the site and Antwerp Township's possible objections are current issues.

- i. **99 Walker Street in Lawton**—The matter of having a BP coupled with the new Commercial Rehabilitation Exemption for the site and the Village of Lawton's exploration of creating its own BRA are current issues
- j. **No other Ongoing Business**

9. Other Business/Reports

- a. **Land Bank Report**—Compton reported briefly on the VBCLBA meeting held earlier today.
- b. **Economic Development Corporation and Other ED Report**—Morris having departed, there was no report.

10. General Member Comments—None

11. Adjournment—All business being completed, the meeting was adjourned by the Chair at 4:57 PM.



Wayne Nelson, Secretary-Treasurer
Van Buren County Brownfield Redevelopment Authority

Acronyms used in BRA Minutes:

<i>Acronym</i>	<i>Type</i>	<i>Meaning</i>
BRA or VBCBRA	Agency	Van Buren County Brownfield Redevelopment Authority
EPA	Agency	U. S. Environmental Protection Agency
EGLE	Agency	Michigan Department of the Environment, Great Lakes, and Energy
MEDC	Agency	Michigan Economic Development Corporation
SLBA	Agency	Michigan State Land Bank Authority
VBCLBA or LBA	Agency	Van Buren County Land Bank Authority
VBC	Agency	Van Buren County
VBCBOC or BOC	Agency	Van Buren County Board of Commissioners
VBCEDC or EDC	Agency	Van Buren County Economic Development Corporation
BEA	Environmental Term	Baseline Environmental Assessment
DDCC	Environmental Term	Documentation of Due Care Compliance
ESA	Environmental Term	Environmental Site Assessment (as in Phase II ESA)
QAPP	Environmental Term	Quality Assurance Project Plan
ETI	Company	Envirologic Technologies Inc, the EPA Grant contractor
BP	Brownfield Term	Brownfield Plan
LBRF	Brownfield Term	Local Brownfield Revolving Fund
ED	General Term	Economic development
SEV	Property Tax Term	State Equalized Value-should approximate 50% market value
TV	Property Tax Term	Taxable Value-the value for property tax rate billing